

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE TEXT OF THE **TRANSPORTATION ELEMENT** (TO ESTABLISH A CONSTRAINED ROADWAY AT A LOWER LEVEL OF SERVICE FACILITY ON THE SEGMENT OF **STATE ROAD 7** FROM FOREST HILL BOULEVARD TO LAKE WORTH ROAD); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted a public hearing on June 11, 18 and 25, July 9, August 13, and November 19, 1999 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 28, August 17 and 24, 1999 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1           WHEREAS, Palm Beach County received on November 16, 1999 the  
2 Department of Community Affairs "Objections, Recommendations, and  
3 Comments Report," dated November 12, 1999 which was the Department's  
4 written review of the proposed Comprehensive Plan amendments; and

5           WHEREAS, the written comments submitted by the Department of  
6 Community Affairs contained no objections to the amendments contained  
7 in this ordinance;

8           WHEREAS, on December 13, 1999 the Palm Beach County Board of  
9 County Commissioners held a public hearing to review the written  
10 comments submitted by the Department of Community Affairs and to  
11 consider adoption of the amendments; and

12           WHEREAS, the Palm Beach County Board of County Commissioners has  
13 determined that the amendments comply with all requirements of the  
14 Local Government Comprehensive Planning and Land Development  
15 Regulations Act.

16           NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
17 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

18           Part I. Amendments to the 1989 Comprehensive Plan

19           Amendments to the text of the following Element of the 1989  
20 Comprehensive Plan are hereby adopted and attached to this Ordinance in  
21 Exhibit 1:

22           A.    Transportation Element, to establish a Constrained Roadway  
23 at a Lower Level of Service Facility on the segment of State Road  
24 7 from Forest Hill Boulevard to Lake Worth Road.

25           Part II. Repeal of Laws in Conflict

26           All local laws and ordinances applying to the unincorporated area  
27 of Palm Beach County in conflict with any provision of this ordinance  
28 are hereby repealed to the extent of such conflict.

29           Part III. Severability

30           If any section, paragraph, sentence, clause, phrase, or word of  
31 this Ordinance is for any reason held by the Court to be  
32 unconstitutional, inoperative or void, such holding shall not affect



1 the remainder of this Ordinance.

2 Part IV. Inclusion in the 1989 Comprehensive Plan

3 The provision of this Ordinance shall become and be made a part  
4 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
5 Ordinance may be renumbered or relettered to accomplish such, and the  
6 word "ordinance" may be changed to "section," "article," or any other  
7 appropriate word.

8 Part V. Effective Date

9 The effective date of this plan amendment shall be the date a  
10 final order is issued by the Department of Community Affairs or  
11 Administration Commission finding the amendment in compliance in  
12 accordance with Section 163.3184, Florida Statutes, whichever occurs  
13 earlier. No development orders, development permits, or land uses  
14 dependent on this amendment may be issued or commence before it has  
15 become effective. If a final order of noncompliance is issued by the  
16 Administration Commission, this amendment may nevertheless be made  
17 effective by adoption of a resolution affirming its effective status,  
18 a copy of which resolutions shall be sent to the Department of  
19 Community Affairs, Bureau of Local Planning, 2740 Centerview Drive,  
20 Tallahassee, Florida 32399-2100.

21 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm  
22 Beach County, on the 13 day of December, 1999.

23 ATTEST:  
24 DOROTHY H. WILKEN, Clerk

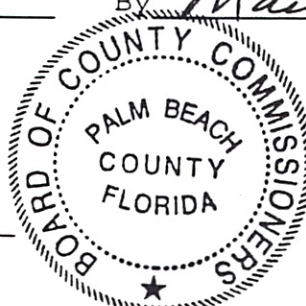
PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

25 By: Joan Hawley  
26 Deputy Clerk

By: Maudie Ford Lee  
Chair

27 APPROVED AS TO FORM AND  
28 LEGAL SUFFICIENCY

29 [Signature]  
30 COUNTY ATTORNEY



31 Filed with the Department of State on the 23rd day  
32 of December, 1999.

## EXHIBIT 1

### A. Transportation Element, State Road 7 Constrained Roadway at Lower Level of Service (CRALLS)

**ADDITION:** Addition of underlined text to **Policy 1.2-f** as follows:

**Policy 1.2-f:** The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards.

1-8. *(Pertain to other CRALLS; unaltered text omitted for brevity)*

9. State Road 7 as a 6 lane facility from Forest Hill Boulevard to Lake Worth Road is hereby designated as a CRALLS facility exclusively for the purpose of concurrency for projects with concurrency approvals as of August 24, 1999 and shall be in effect until such time that State Road 7 is widened to 8 lanes. Once the roadway segment is widened, the Board of County Commissioners shall re-evaluate the CRALLS facility. The facility's level of service standard volumes shall be as shown below:

<u>Year</u>	<u>Daily Volume</u>	<u>Peak Hour Volume</u>	<u>Peak Hour, Peak Direction Volume</u>
<u>2000</u>	<u>38,629</u>	<u>3,527</u>	<u>2,016</u>
<u>2001</u>	<u>43,801</u>	<u>4,004</u>	<u>2,221</u>
<u>2002</u>	<u>48,973</u>	<u>4,480</u>	<u>2,427</u>
<u>2003</u>	<u>54,145</u>	<u>4,957</u>	<u>2,632</u>
<u>2004</u>	<u>59,317</u>	<u>5,433</u>	<u>2,837</u>
<u>2005</u>	<u>64,489</u>	<u>5,910</u>	<u>3,042</u>

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STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on December 13, 1999.  
DATED at West Palm Beach, FL on 1/4/00.  
DOROTHY H. WILKEN, Clerk  
By: Wiane Brown D.C.